

Message Text

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PAGE 01 IAEA V 07224 311636Z

64

ACTION EA-14

INFO OCT-01 IO-13 ADP-00 ACDA-19 CIAE-00 INR-10 L-03

NSAE-00 NSC-10 RSC-01 SCI-06 SCEM-02 PM-07 SS-15

DODE-00 PA-03 USIA-15 PRS-01 RSR-01 /121 W

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R 311458Z AUG 73

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 3319

INFO AEC GERMANTOWN

AMEMBASSY CANBERRA

C O N F I D E N T I A L IAEA VIENNA 7224

E. O. 11652: GDS

TAGS: IAEA, TECH, AS

SUBJECT: AUSTRALIAN/IAEA NPT SAFEGUARDS AGREEMENT

REF: (A) STATE 162649; (B) IAEA VIENNA 6929; (C) STATE 173043

1. MISSION BELIEVES GOA DRAFT SUSPENSION PROTOCOL DISCUSSED REFTELS REPRESENTS UNDESIRABLE STEP BACKWARDS, IN THAT IT WOULD HAVE EFFECT OF RESTORING APPLICATION OF U.S. BILATERAL SAFEGUARDS ON THOSE ITEMS NOT RPT NOT SAFEGUARDED BY IAEA UNDER GOA/IAEA NPT SAFEGUARDS AGREEMENT, E.G., REACTORS AND HAVEY WATER OR TOHER NON- NUCLEAR MATERIALS REQUIRED BY U.S. TO BE SAFEGUARDED, WHICH, UNDER U.S. VERSION OF PROTOCOL (STATE A-762 DTD 1/25/73) AND PROTOCOLS ALREADY CONCLUDED WITH SEVERAL OTHER COUNTRIES, WOULD CONTINUE TO BE SAFEGUARDED BY IAEA. THUS, GOA DRAFT IS CLEARLY INCONSISTENT WITH U.S. POLICY OF TRANSFERRING SAFEGUARDS RESPONSIBILITIES TO IAEA.

2. MOREOVER, GOA DRAFT PROTOCOL APPEARS TO HAVE EFFECT OF "TERMINATING" RATHER THAN "SUSPENDING" OUR EXISTING TRILATERAL SAFEGUARDS AGREEMENT (SEE OPERATIVE PARA 3), WHICH IS CONTRARY TO OBJECTIVE SOUGHT (SEE TITLE, PREAMBLE AND OPERATIVE PARA 1).

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PAGE 02 IAEA V 07224 311636Z

3. WE ALSO QUESTION USE OF SUBSTITUTION PRINCIPLE IN OPERATIVE

PARA 4, IF WE UNDERSTAND IT CORRECTLY, SINCE THIS SEEMS TO GO BEYOND WHAT WE UNDERSTAND TO HAVE BEEN THE POSITION TAKEN IN OTHER SIMILAR CIRCUMSTANCES.

4. GOA CONCERNS AND MOTIVES NOT RPT NOT CLEAR TO US, BUT IN LIGHT GOA AIDE MEMOIRE ON THEIR NPT SAFEGUARDS AGREEMENT (IAEA VIENNA 6810), WE WONDER WHETHER THEY MAY BE LOOKING FOR WAYS TO DELAY GOING AHEAD WITH THAT AGREEMENT UNTIL NATURE OF JAPAN'S NPT SAFEGUARDS BECOMES CLEAR. IN ANY EVENT, MISSION RECOMMENDS THAT APPROPRIATE MEMBERS OF U.S. DEL TO IAEA GENERAL CONFERENCE BE PREPARED TO DISCUSS SUSPENSION PROTOCOL WITH AUSTRALIAN REPS, WITH VIEW TO SEEKING AGREEMENT ON TEXT. PORTER

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Disposition Reason:
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